

XO® Digital Subscriber Line (DSL) Service Level Guarantee

The XO® IP Network ("Network") used to furnish XO Digital Line Subscriber ("DSL") Service includes XO-owned and controlled routers and circuits, including transit connections, but does not include the local access circuit (e.g., local loop), Customer Premise Equipment, or Customer's Local Area Network (LAN).

For purposes of Service Level Guarantee measurements, Network performance does not take into account scheduled maintenance events, Customer-caused outages or disruptions, interconnections to or from, and connectivity within, other Internet Service Provider (ISP) networks, or *force majeure* events as defined in the relevant Service agreement.

Network Availability Guarantee - 100%

The XO IP Network for DSL is guaranteed to be available and capable of forwarding IP packets one hundred percent (100%) of the time, as averaged over a calendar month.

If the Network Availability Guarantee is not met during a calendar month and the failure is reported to Company by Customer, Customer will receive a credit equal to the pro-rated one-day amount of the Monthly Recurring Charge ("MRC") for Service for the calendar month during which the Guarantee was not met.

Limits on credits and credit request procedures are established below under "Credit Limits and Reporting Procedures."

Latency Guarantee - 65 Milliseconds

The Network is guaranteed to have an average round trip packet transit time over a calendar month of 65 Milliseconds or less. Average latency is measured as the average of 15-minute samples across the Network as taken throughout a calendar month.

If the Latency Guarantee is not met during a calendar month and the failure is reported to Company by Customer, Customer will receive a credit equal to the pro-rated one-day amount of the MRC for Service for the calendar month during which the Guarantee was not met.

Limits on credits and credit request procedures are established below under "Credit Limits and Reporting Procedures."

Packet Loss Guarantee

The Network is guaranteed to have a monthly average packet loss of no greater than one percent (1%) during any calendar month.

If the Packet Loss Guarantee is not met during a calendar month and the failure is reported to Company by Customer, Customer will receive a credit equal to the pro-rated one-day amount of the MRC for Service for the month during which the Guarantee was not met.

Limits on credits and credit request procedures are established below under "Credit Limits and Reporting Procedures."

Network Jitter Guarantee

The Network is guaranteed to have a monthly average network jitter delay of no greater than one (1) millisecond during any calendar month.

If the Network Jitter Guarantee is not met during a calendar month and the failure is reported to Company by Customer, Customer will receive a credit equal to the pro-rated one-day amount of the MRC for Service for the month during which the Guarantee was not met.

Limits on credits and credit request procedures are established below under "Credit Limits and Reporting Procedures."

Credit Limits and Reporting Procedures

Total credits awarded for Service during any calendar month for failure to meet any one or more of the Guarantees shall not exceed the MRC for the affected Service. To be eligible to receive credit, Customer must report any failure(s) by telephoning XO Customer Care at 800.421.3872 and complying fully with any informational requests made by XO.

REV: 11/20/06